

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

STANSEL ALEXANDER PROWSE,
ADC #658340

PLAINTIFF

v.

5:19CV00115-JM-JTK

WENDEY KELLEY, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of the record, the Court adopts them in their entirety.

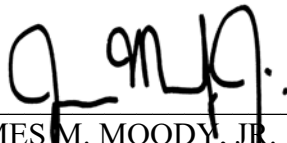
Plaintiff claims that the ADC has a blanket policy of refusal to provide hormone replacement therapy to inmates diagnosed with gender identity disorder. However, ADC Administrative Directive 14-19 provided by the Plaintiff does not support that argument. While acknowledging that the initiation of sexual reassignment is impractical in a correctional setting, the ADC has not banned the treatment. It is the policy of the ADC to “provide the appropriate treatment to inmates” diagnosed with Gender Dysphoria. (ECF No. 27 at p. 17). Plaintiff’s requested treatment was considered by the ADC Gender Dysphoria Management and Treatment Committee. The Committee found that in Plaintiff’s case “hormone therapy was not clinically indicated nor recommended.” (*Id.* at p. 12). An inmate’s disagreement with a course of medical treatment is insufficient to state a claim for relief under the Eighth Amendment.

Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion to Dismiss Defendant Kelley is GRANTED.
2. Defendants' Motions to Dismiss (Doc. Nos. 11, 18) are GRANTED, and Plaintiff's Amended Complaint is DISMISSED with prejudice for failure to state a claim upon which relief may be granted
3. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
4. The Court certifies that an in forma pauperis appeal from an Order and Judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).
5. Plaintiff's motions (Doc. Nos. 20, 24, 25) are DENIED as moot.

IT IS SO ORDERED this 25th day of June, 2019.



JAMES M. MOODY, JR.
UNITED STATES DISTRICT JUDGE